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IT IS SO ORDERED.

Dated: July 12, 2024



ALAN M. KOSCHIK
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

In re)	
)	Case No. 24-50855
KEITH WILLIAM LATTEI,)	
)	Chapter 13
Debtor.)	
)	Judge Alan M. Koschik
)	

ORDER DISMISSING CASE FOR FAILURE TO PROSECUTE

On May 24, 2024, the above-captioned debtor (the “Debtor”) filed a *pro se* petition for relief under Chapter 13 of the Bankruptcy Code, 11 U.S.C. §§ 101, *et seq.* The Debtor, who resides in Medina County, filed the petition in Cleveland. Pursuant to Local Bankruptcy Rule 1071-1, the Akron Court is the proper division for this case. The case was reassigned to the Akron Court on June 7, 2024, pursuant to an order signed by Judge Price Smith.

The Debtor failed to file certain documents required by law. Specifically, the Debtor failed to file: (1) Summary of Schedules and Statistical Summary; (2) Schedules A/B-J; (3)

Declaration re: Debtor's Schedules; (4) Statement of Financial Affairs; (5) Means Test Form; (6) Employee Income Records/Payment Advices; (7) Legal Description of All Real Property and Land Contracts; (8) Credit Counseling Certificate; and (9) Chapter 13 Plan (collectively the "Required Documents").

On June 12, 2024, the Court entered its Order Requiring Debtor to Appear and Show Cause For Failure to File the Required Documents (Docket No. 12) (the "Show Cause Order") directing the Debtor to appear and show cause why this case should not be dismissed for failure to file the Required Documents.

Simultaneously with the petition, the Debtor filed an Application to Pay the Filing Fee in Installments (Docket No. 4) (the "Application"). On May 30, 2024, eight days before the case was transferred to the Akron court location, the Application was granted administratively by clerk staff in the Court's Cleveland location (Docket No. 7) (the "Fee Installment Order"). Because it is the undersigned Judge's policy, barring extraordinary circumstances, not to grant applications to pay the filing fee in installments in a Chapter 13 case, the Court vacated the Fee Installment Order and set it for hearing to be heard along with the Show Cause Order (Docket No. 13).

The Court held a hearing on the Show Cause Order on June 27, 2024 (the "Hearing"). The Debtor appeared at the Hearing telephonically and requested an extension to file the Required Documents. The Court adjourned the hearing on the Show Cause Order and Fee Installment Order until the next chapter 13 docket on July 11, 2024. The Debtor did not file the Required Documents or pay the filing fee.

The Court held the continued Hearing on the Show Cause Order and Fee Installment Order on July 11, 2024. The Debtor again appeared telephonically at the continued Hearing and again requested an adjournment to file the Required Documents or to voluntarily dismiss his

chapter 7 case. The Court denied that request. The Court concludes that the Debtor's case has not been properly prosecuted.

Based on the foregoing,

IT IS HEREBY ORDERED THAT:

1. This bankruptcy case is **DISMISSED** for failure to prosecute.
2. The filing fee in the amount of \$313 remains due and owing.
3. The Court does not impose sanctions on the Debtor pursuant to 11 U.S.C.

§ 109(g) that would otherwise prevent a refiling within the next 180 days.

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